

Attachment to Interview Summary

**FAX****DATE:** April 25, 2008**PTO IDENTIFIER:** Application Number 09/981,644-Conf. #7020  
Patent Number**Inventor:** Jason Lango**MESSAGE TO:** Examiner Benjamin A. Ailes**FAX NUMBER:** (571) 273-3899**FROM:** PERKINS COIE LLP

Susan L. Baka for Jordan M. Becker (Patent Attorney)

**PHONE:** (650) 838-4398**Attorney Dkt. #:** 67272-8045.US01**PAGES (Including Cover Sheet):** 3**CONTENTS:** Please see the attached Applicant Initiated Interview Request Form and attached Brief Description of Arguments to be presented.

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**PERKINS COIE LLP**101 Jefferson Drive, Menlo Park, California 94025-1114  
**Telephone:** (650) 838-4300 **Facsimile:** (650) 838-4350

PTOL-413A (10-07)

Approved for use through 04/30/2008, OMB 0351-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE**Applicant Initiated Interview Request Form**

Application No.: 09/981,644-Conf. First Named Applicant: Jason Lango  
 Examiner: Benjamin A. Ailes Art 2142 Status of Application: Pending

**Tentative Participants:**

(1) Jordan M. Becker (2) \_\_\_\_\_  
 (3) Primary Examiner (4) \_\_\_\_\_

Proposed Date of Interview: 5/7/2008 Proposed Time: 2:00 (PM Eastern)

**Type of Interview Requested:**

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: \_\_\_\_\_

**Issues To Be Discussed**

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rej. 103</u>	<u>79,86,90</u>	<u>Markowitz/Pinckney</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

**Brief Description of Arguments to be Presented:**

See attached.

An interview was conducted on the above-identified application \_\_\_\_\_

**NOTE:**

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP §713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Jordan Becker  
Applicant/Applicant's Representative Signature

\_\_\_\_\_  
Examiner/SPE Signature

Jordan Becker  
Typed/Printed Name of Applicant or Representative

39,602  
Registration Number, if applicable

09/981,644

Brief Description of Arguments to be presented:

Applicants have carefully reviewed the cited references and the latest contentions in the present Office Action. Applicants find that contrary to the Office Action's contentions:

- 1) There is no disclosure in the cited references of both a protocol dependent subsystem and a protocol independent subsystem. In particular, Pinkney discloses a protocol dependent subsystem, not a protocol independent subsystem. Likewise, Markowitz discloses, if anything, a protocol dependent subsystem, but not a protocol independent subsystem.
- 2) There is no disclosure in the cited references of a protocol independent subsystem that stores data in streaming media protocol specific form.
- 3) There is no disclosure in the cited references of a protocol dependent subsystem that includes a plurality of streaming media encoders to support a plurality of streaming media protocols. Different bandwidth encodings as disclosed in Markowitz does not imply the use of different streaming media protocols.
- 4) There is no disclosure in the cited references of a protocol independent subsystem controlling the pace of delivery of streaming media data.